



## Senate

General Assembly

January Session, 2013

**File No. 245**

Senate Bill No. 651

*Senate, March 28, 2013*

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT CONCERNING NUTRITION STANDARDS FOR CHILD CARE SETTINGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2013*) (a) For purposes of this  
2       section:

3       (1) "Child day care center" means any facility that offers or provides  
4       a program of supplementary care to more than twelve related or  
5       unrelated children outside their own homes on a regular basis;

6       (2) "Group day care home" means any facility that offers or provides  
7       a program of supplementary care (A) to not less than seven or more  
8       than twelve related or unrelated children on a regular basis, or (B) that  
9       meets the definition of a family day care home except that it operates  
10      in a facility other than a private family home; and

11      (3) "Family day care home" means any facility that consists of a  
12      private family home caring for not more than six children, including

13 the provider's own children not in school full time, where the children  
14 are cared for not less than three or more than twelve hours during a  
15 twenty-four-hour period and where care is given on a regularly  
16 recurring basis except that care may be provided in excess of twelve  
17 hours but not more than seventy-two consecutive hours to  
18 accommodate a need for extended care or intermittent short-term  
19 overnight care. During the regular school year, a maximum of three  
20 additional children who are in school full time, including the  
21 provider's own children, shall be permitted, except that if the provider  
22 has more than three children who are in school full time, all of the  
23 provider's children shall be permitted.

24 (b) No child day care center, group day care home or family day  
25 care home shall provide beverages with added sweeteners, whether  
26 artificial or natural, to children under the care of such facility.

27 (c) No child day care center, group day care home or family day  
28 care home shall provide juice to any child eight months of age or  
29 younger under the care of such facility. A child day care center, group  
30 day care home or family day care home may provide juice to children  
31 nine months of age or older under the care of such facility provided (1)  
32 the juice is one hundred per cent juice, and (2) no child shall receive  
33 more than six ounces of one hundred per cent juice per day.

34 (d) No child day care center, group day care home or family day  
35 care home shall provide milk with a milk fat content of greater than  
36 one per cent to any child two years of age or older under the care of  
37 such facility unless milk with a higher milk fat content is medically  
38 required for an individual child, as documented by such child's  
39 medical provider.

40 (e) Every child day care center, group day care home or family day  
41 care home shall make water available and easily accessible to children  
42 under the care of such facility throughout the day, including at all  
43 meals. Potable drinking water supplies shall be located in or near  
44 classrooms and playrooms. Except when water fountains are used,  
45 individual disposable drinking cups shall be provided within reach of

- 46 children under the care of such facility.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2013</i>	New section
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**KID**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Public Health, Dept.	GF - Cost	44,514	58,418
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	15,545	20,726

### **Municipal Impact:** None

### **Explanation**

The bill results in a state cost of \$60,059 in FY 14 and \$79,144 in FY 15 from the expansion of requirements of child day care centers (CDCCs), group day care homes (GDCHs) and family day care homes (FDCHs) related to nutrition, access to water, and access to disposable drinking cups. Costs are associated with a Child Care Licensing Specialist position within the Department of Public Health (DPH) filled on 10/1/13, an associated one-time equipment expense for a computer and on-going expenses for office supplies for a total cost to DPH of \$44,514 in FY 14 and \$54,418 in FY 15. State Comptroller – Fringe Benefit costs associated with this position are \$15,545 in FY 14 and \$20,726 in FY 15.

In 2012, DPH licensed 1,517 CDCCs and GDCHs as well as 2,556 FDCHs. Approximately once every 18 months CDCCs and GDCHs are routinely inspected and once every 24 months FDCHs are inspected. Hence, approximately 774 CDCCs and GDCHs and 613 FDHCs were routinely inspected in 2012. In addition to routine

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 34.54% of payroll in FY 14 and FY 15.

inspections, DPH performs complaint inspections of these facilities. In 2012, 33% of CDCCs and GDCHs, or 501 facilities, underwent a complaint inspection. Additionally, 14% of FDCHs, or 358 facilities, underwent a complaint inspection. Assuming 40 minutes of work on average per routine and complaint inspection and follow-up, it is anticipated that approximately 1,500 hours of work annually would result from the expansion of CDCCs, GDCHs and FDCHs requirements. As the bill is effective 10/1/13, nine months of cost for a DPH Child Care Licensing Specialist is included in FY 14, along with a one-time equipment, on-going office supply expenses and fringe benefits for this position under the State Comptroller - Fringe Benefits are included.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation. In addition, normal annual pension costs (currently estimated at 7.5% of payroll) attributable to the identified personnel changes will be recognized in the state's annual required pension contribution in future actuarial valuations.

*Sources: 2013 Early Childhood Forum DPH Child Day Care Licensing Results Based Accountability (RBA) Report Card*

**OLR Bill Analysis****SB 651*****AN ACT CONCERNING NUTRITION STANDARDS FOR CHILD CARE SETTINGS.*****SUMMARY:**

This bill prohibits child day care centers, group day care homes, and family day care homes from providing (1) a beverage with artificial or natural added sweeteners to a child in their care and (2) any juice to a child eight months old or younger. The facility may provide juice to a child over eight months old if (1) it is 100% juice and (2) the child receives no more than six ounces per day.

The bill prohibits these facilities from providing milk with more than 1% milk fat unless a higher fat content is medically required for a child as documented by the child's medical provider.

It requires these facilities to (1) make water available and easily accessible to children in their care throughout the day, including at all meals; (2) have potable (drinkable) water supplies in or near classrooms and playrooms; and (3) provide individual disposable drinking cups within reach of children in their care except when water fountains are used.

By law, these facilities must be licensed by the Department of Public Health.

EFFECTIVE DATE: October 1, 2013

**DEFINITIONS**

A "child day care center" offers or provides supplementary care to more than 12 children outside their own homes on a regular basis.

A "group day care home" offers or provides supplementary care (1)

to between seven and 12 children on a regular basis or (2) meets the family day care home definition except that it is not in a private family home.

A “family day care home” is a private family home caring for up to six children, including the provider’s own children not in school full-time, where the child is cared for between three and 12 hours per day on a regular basis. Care may be provided between 12 and 72 consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, up to three additional children in school full-time, including the provider’s own children, are permitted or all of the provider’s children in school full-time are permitted if he or she has more than three children.

## **BACKGROUND**

### ***Child and Adult Care Food Program***

The U.S. Department of Agriculture’s Child and Adult Care Food Program (CACFP) reimburses licensed day care centers and family day care homes for providing nutritious meals and snacks for children. Facilities that serve low-income children receive higher reimbursements.

To receive federal reimbursement, facilities must follow CACFP meal pattern guidelines, which include providing specific minimum serving sizes and nutrition requirements for certain foods and beverages.

## **COMMITTEE ACTION**

Children Committee

Joint Favorable

Yea 8 Nay 4 (03/12/2013)